

The Opinions of the Caliphs and Contemporary Jurists about the Limit of Drinking, the Limit of Adultery and the Limit of Qazaf

Dr. Fareed Ud Din Tariq

Assistant Professor, Department of Islamic Studies,

The University of Azad Jammu & Kashmir, Muzaffarabad, (AJ&K) Pakistan.

dr.fareed.uaik@gmail.com

Abstract:

Limits are Sharia punishments prescribed in Sharia for specific crimes. These punishments are clearly stated in the Qur'an and Sunnah, and the Caliphs followed them during their Caliphate. Contemporary jurists also discuss the enforcement of these limits and their rulings. Let's examine the opinions of the caliphs and contemporary jurists regarding the limit of drinking, limit of adultery and limit of qazaf. During the reign of Hazrat Umar, the punishment for drinking alcohol was set at 80 lashes. Before this, during the reign of Hazrat Abu Bakr, 40 lashes were given, but Hazrat Umar, with the advice of the Companions, fixed the punishment at 80 lashes. The difference between the jurists regarding the punishment for excessive drinking. is found. According to some jurists, 40 lashes are sufficient, while others consider 80 lashes to be better. However, the general opinion is that the Islamic government has the authority to determine the punishment according to the circumstances. During the time of Hazrat Abu Bakr and Hazrat Umar, the punishment for adultery was as described in the Qur'an. is: stoning (stoning) for a married adulteress and 100 lashes for an unmarried adulteress. Contemporary jurists also recognize the same principle that the punishment for adultery is stoning for a married adulterer and 100 lashes for an unmarried adulterer. For its implementation, conditions prescribed by the Shari'ah, such as the testimony of four witnesses or the confession of the guilty party, are necessary. During the reign of the Caliphs, the limit of Qazf was set at 80 lashes. Anyone who falsely accused another of adultery and could not prove his claim was punished. Contemporary jurists agree that the punishment for adultery is 80 lashes, which is clearly stated in the Quran. The purpose of this punishment is to prevent false accusations in the society and to protect the honor and dignity of people. The Caliphs followed the Qur'an and Sunnah in enforcing the limits and contemporary jurists also recognize the same principles. However, the enforcement of these limits requires adherence to conditions and standards, which are enforced by Sharia courts.

Key Words: Opinions, Caliphs, Contemporary, Drinking, Jurists, Adultery, Punishments, Principles

The Hudood punishments are specific penalties prescribed in Sharia for certain crimes, clearly outlined in the Quran and Sunnah. The Rightly Guided Caliphs enforced these punishments during their caliphate, and contemporary scholars continue to debate the implementation and rulings related to them. Let's examine the views of the Rightly Guided Caliphs and contemporary scholars on the Hudood of intoxication (Shurb), adultery (Zina), and false accusation (Qadhf).

During the caliphate of Hazrat Umar (RA), the punishment for drinking alcohol was set at 80

lashes. Previously, during the reign of Hazrat Abu Bakr (RA), the punishment was 40 lashes, but Hazrat Umar (RA), with the consultation of the Companions, raised the penalty to 80 lashes. There is a difference of opinion among scholars regarding the punishment for Shurb. Some scholars believe that 40 lashes are sufficient, while others consider 80 lashes to be preferable. However, the general consensus is that the Islamic government has the discretion to determine the punishment based on the circumstances.

During the time of Hazrat Abu Bakr (RA) and Hazrat Umar (RA), the punishment for adultery was in accordance with what is stated in the Quran: stoning (Rajm) for a married adulterer and 100 lashes for an unmarried adulterer. Contemporary scholars also agree that the punishment for adultery is stoning for the married and 100 lashes for the unmarried. The conditions set by Sharia, such as the testimony of four witnesses or the confession of the accused, must be fulfilled for the punishment to be carried out.

During the caliphate of the Rightly Guided Caliphs, the punishment for false accusation (Qadhf) was 80 lashes for anyone who falsely accused another person of adultery and failed to prove their claim. Contemporary scholars unanimously agree that the punishment for Qadhf is 80 lashes, as stated clearly in the Quran. The purpose of this punishment is to prevent false accusations and protect the honor and dignity of individuals in society.

The Rightly Guided Caliphs adhered to the Quran and Sunnah when enforcing these Hudood punishments, and contemporary scholars also accept these principles. However, it is essential to adhere to the prescribed conditions and standards for the implementation of these punishments, which are carried out through Sharia courts.

The Hudood of Shurb, or the prohibition of alcohol, is a fundamental aspect of Islamic law. Both the Quran and the Sunnah of Prophet Muhammad (PBUH) prohibit the consumption of alcohol and intoxicants. In Islamic law, "Hud al-Shurb" refers to the punishment prescribed for those who consume alcohol. This punishment is known as "Jald" or flogging. The Quran considers alcohol to be harmful and advises Muslims to avoid it, as stated:

يَا أَيُّهَا الَّذِينَ آمَنُوا إِنَّمَا الْخَيْرُ وَالْمَيْسُ وَالْأَنْصَابُ وَالْأَزْلَامُ رَجْسٌ مِنْ عَمَلِ الشَّيْطَانِ فَاجْتَنِبُوهُ لَعَلَّكُمْ تُفْلِحُونَ⁽¹⁾

O you who have believed, indeed, intoxicants, gambling, [sacrificing on] stone alters [to other than Allah], and divining arrows are but defilement from the work of Satan, so avoid it that you may be successful."

اخبرنا سويد بن نصر، قال انبانا عبد الله يعنى ابن المبارك، عن سليمان التيمي، ان انس بن مالك اخبرهم، قال: بينا انا قائم على الحى وانا اصغرهم سنا على عمومتي إذ جاء رجل، فقال: إنها قد حرمت الخمر وانا قائم عليهم اسقيهم من فضيخ لهم، فقالوا: اكفاهما فكفاتها، فقلت لانس: ما هو، قال: البسه والتمر، قال ابو بكر بن انس كانت خمرهم يومئذ فلم ينكر انس.⁽²⁾

¹ Quran 5:90

² Bukhari, Muhammad bin Ismail (1987), Sahih Bukhari, Beirut: Dar Ibn Kathir al-Yamamah, Hadith No. 2464.

Anas ibn Malik (RA) said: I was standing among the people of my tribe, and I was the youngest of them all. At that moment, a man came and said: "Wine has been made forbidden." I was standing there and calling people to dispose of the foul wine. The people said: "Turn it over." I turned it over. (Sulaiman said) I asked Anas (RA): "What kind of wine was this?" He replied: "It was made from 'gudar' (half-fermented) and dried dates." Abu Bakr ibn Anas said: "At that time, this was their wine." Anas (RA) did not deny this.

Islam acknowledges that alcohol can have negative effects not only on an individual's physical and mental health but also on their social and economic well-being. Therefore, it prohibits the use of alcohol in all its forms, including wine, beer, and spirits. In Islam, the prescribed punishment for consuming alcohol is flogging, with a specific number of 80 lashes as stated in the Hadith (the sayings and actions of the Prophet Muhammad ﷺ). The punishment is to be administered publicly, serving as a deterrent for others. However, it is important to note that Islamic law also emphasizes mercy and forgiveness. In cases where a person commits a sin, they are encouraged to seek forgiveness from Allah, repent, and make sincere efforts toward self-improvement. Islam also encourages the community to support individuals who struggle with addiction or other issues, rather than ostracizing or punishing them.

Ultimately, "Hudood al-Shurb" (the prohibition of alcohol) is a fundamental aspect of Islamic law. Islam acknowledges the harmful effects of alcohol and strives to protect individuals and society from its negative consequences. The punishment for alcohol consumption is flogging, but Islamic law also emphasizes mercy and forgiveness, encouraging individuals to seek help in overcoming addiction and other issues.

In Islam, the prohibition of alcohol was gradually introduced over time. The first revelation regarding the prohibition of alcohol came during the early years of the Prophet Muhammad's mission in Mecca. The exact date of this revelation is unknown, but it is believed to have occurred around 610 CE, during the early period of Islam. Initially, the prohibition of alcohol was not an absolute ban, but rather a gradual process. At first, Muslims were only encouraged to avoid alcohol, but it was not yet completely forbidden. The verses revealed during this phase include:

يَسْأَلُونَكَ عَنِ الْخَيْرِ وَالْمَيْهِ قُلْ فِيهِمَا إِثْمٌ كَبِيرٌ وَمَنْفَعَةٌ لِلنَّاسِ وَاثْبُهُمَا أَكْبَرُ مِنْ نَفْعِهِمَا وَيَسْأَلُونَكَ مَاذَا يُنْفِقُونَ - قُلِ الْعَفْوَ كَذَلِكَ يُبَيِّنُ اللَّهُ لَكُمْ الْآيَاتِ لَعَلَّكُمْ تَتَفَكَّرُونَ⁽³⁾

They ask you about wine and gambling. Say, 'In them is great sin and [yet, some] benefit for people. But their sin is greater than their benefit' "".

This verse acknowledges that alcohol has some benefits, but it warns of its major sin. As the Muslim community grew and became more established, the harms of alcohol became more apparent. It was seen as a source of corruption and social problems, such as alcoholism and violence. As a result, the prohibition of alcohol was gradually reinforced. The final prohibition of alcohol in Islam came later in Medina, where the Muslim community had established itself as a distinct entity.

The verses revealed during this stage include:

³ Quran 2:219
310 | Page

يَا أَيُّهَا الَّذِينَ آمَنُوا إِنَّمَا الْخَيْرُ وَالْمَالُ وَالْأَنْصَابُ وَالْأَزْلَامُ رِجْسٌ مِنْ عَمَلِ الشَّيْطَانِ فَاجْتَنِبُوهُ لَعَلَّكُمْ تُفْلِحُونَ⁽⁴⁾

O you who have believed, indeed, intoxicants, gambling, [sacrificing on] stone alters [to other than Allah], and divining arrows are but defilement from the work of Satan, so avoid it that you may be successful".

This verse clearly states that alcohol is forbidden and is considered a source of impurity from the works of Satan. It was revealed shortly before the Prophet's ﷺ passing, and after this revelation, the prohibition of alcohol in Islam became complete and permanent. Alcohol was declared haram in Islam because it harms both individuals and society. The negative effects of alcohol on individuals include impaired judgment, loss of control, and addiction. These effects can lead to harmful behaviors such as violence, accidents, and even death. Additionally, long-term alcohol use can cause serious health issues like liver disease, cancer, and heart problems.

Islam holds that every person has a duty to maintain their physical and mental health as well as the well-being of others. Drinking alcohol goes against this duty and is seen as harmful to both the individual and society. It can lead to the breakdown of families, social systems, and moral values. Moreover, alcohol is seen as an instrument of Satan that can divert people from the path of righteousness. It is believed that consuming alcohol can impair a person's ability to make sound decisions, leading them to engage in sins and immoral behavior.

Therefore, the prohibition of alcohol in Islam is seen as a means to protect individuals and society from harm and to ensure that people are capable of fulfilling their duties to their families and communities. Due to its negative impact on individuals and society, alcohol was declared haram in Islam. Islam teaches that the human body is a trust from God, and we are responsible for taking care of it. Alcohol consumption can damage the body and mind, leading to addiction, poor decision-making, and negative consequences such as accidents, violence, and health issues.

Islam also places great importance on the protection of social order and moral values. Alcohol consumption can lead to destructive behaviors, including family breakdown, social decay, and immoral acts. It can cause individuals to neglect their religious obligations and weaken their faith. Additionally, Islam teaches that individuals are responsible for their actions and will be held accountable on the Day of Judgment. Drinking alcohol can lead to sins such as lying, theft, and adultery and can prevent individuals from fulfilling their religious duties.

يَا أَيُّهَا الَّذِينَ آمَنُوا إِنَّمَا الْخَيْرُ وَالْمَالُ وَالْأَنْصَابُ وَالْأَزْلَامُ رِجْسٌ مِنْ عَمَلِ الشَّيْطَانِ فَاجْتَنِبُوهُ لَعَلَّكُمْ تُفْلِحُونَ⁽⁵⁾

Islam views alcohol as an instrument of Satan that can lead people astray from the path of righteousness. The Qur'an describes alcohol as "an abomination of Satan's handiwork" and warns that it can cause great harm.

⁴ Quran 5:90

⁵ Quran 5:90

Therefore, the prohibition of alcohol in Islam is seen as a means to protect individuals and society from harm and to ensure that people are capable of fulfilling their duties to their families and communities. The Qur'anic teachings on alcohol are clear and straightforward. It is considered impure and harmful to both the body and the soul. The Qur'an also acknowledges that alcohol has some benefits, but it warns that its harms outweigh its benefits. In Surah Al-Baqarah, the Qur'an says:

يَسْأَلُونَكَ عَنِ الْخَيْرِ وَالْمَيْسِرِ قُلْ فِيهِمَا إِثْمٌ كَبِيرٌ وَمَنْفَعٌ لِلنَّاسِ وَاتَّبَهُمَا أَكْبَرُ مِنْ نَفْعِهِمَا - وَيَسْأَلُونَكَ مَاذَا يُنْفِقُونَ - قُلِ الْعَفْوَ كَذَلِكَ يُبَيِّنُ اللَّهُ لَكُمْ الْآيَاتِ لَعَلَّكُمْ تَتَفَكَّرُونَ (6)

They ask you about wine and gambling. Say, 'In them is great sin and [yet some] benefit for people. But their sin is greater than their benefit'".

This verse acknowledges that alcohol may have some benefits, but it also warns that its major sins far outweigh any benefits. The verse indicates that the negative effects of alcohol exceed any possible advantages, and therefore its use is not permissible. Furthermore, the Qur'an advises the believers to stay away from intoxicants and other harmful substances. The Qur'an says:

يَا أَيُّهَا الَّذِينَ آمَنُوا إِنَّمَا الْخَمْرُ وَالْمَيْسِرُ وَالْأَنْصَابُ وَالْأَحْلَامُ رَجْسٌ مِنْ عَمَلِ الشَّيْطَانِ فَاجْتَنِبُوهُ لَعَلَّكُمْ تُفْلِحُونَ (7)

O you who have believed, indeed, intoxicants, gambling, [sacrificing on] stone alters [to other than Allah], and divining arrows are but defilement from the work of Satan, so avoid it that you may be successful".

This verse clearly states that alcohol is forbidden and considered a source of impurity from the works of Satan. It is believed that the consumption of alcohol can impair a person's ability to make sound decisions and lead them toward sin and immoral behavior. The verse emphasizes that alcohol is impure and harmful to both the body and the soul. The Qur'an acknowledges that alcohol may have some benefits, but its negative consequences outweigh these benefits, making it prohibited.

Hadiths, the sayings and actions of the Prophet Muhammad ﷺ, further strengthen the prohibition of alcohol found in the Qur'an. The Hadiths provide additional guidance on this topic and clarify the Islamic rulings regarding the prohibition of alcohol.

Here are some examples of Hadiths that highlight the prohibition of alcohol in Islam:

عن ابن عمر، قال : قال رسول الله صلى الله عليه وسلم: كل مسكي خيّر، وكل مسكر حرام ، ومن شرب الخمر (8)

It is narrated from Abdullah bin Umar (RA) who said that the Messenger of Allah (ﷺ) said: "Every intoxicating substance is khamr (alcohol), and every intoxicating substance is forbidden".

⁶ Quran 2:219

⁷ Quran 5:90

⁸ Muslim, Abu al-Husayn Ibn al-Hajjaj Ibn Muslim al-Qushayri (2012), Sahih Muslim, Maktabah Rahmaniyyah, Lahore, Hadith No. 1231.

عن عبد الله ابن عباس يَقُولُ : سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، يَقُولُ : أَتَانِي جِبْرِيلُ ، فَقَالَ : يَا مُحَمَّدُ ، إِنَّ اللَّهَ عَزَّ وَجَلَّ قَدْ لَعَنَ الْخَمْرَ ، وَغَامِرَهَا ، وَمُعْتَصِرَهَا ، وَشَارِبَهَا ، وَحَامِلَهَا ، وَالْمَحْمُولَةَ إِلَيْهِ ، وَبَائِعَهَا ، وَمُبْتَاعَهَا ، وَسَاقِيَهَا ، وَمُسْتَقْبِلَهَا ⁽⁹⁾

Hazrat Abdullah bin Abbas (RA) narrated that the Messenger of Allah (ﷺ) said: "Jibreel (AS) came to me and said: 'O Muhammad! Allah has cursed wine, its extractor, the one it is extracted for, its drinker, its supplier, the one it is supplied to, its seller, its buyer, its pourer, and the one who demands it to be poured'".

قَالَ عَبْدُ اللَّهِ بْنُ عُمَرَ ، قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : مَنْ شَرِبَ الْخَمْرَ لَمْ يَقْبَلِ اللَّهُ لَهُ صَلَاةً أَرْبَعِينَ صَبَاحًا فَإِنْ تَابَ تَابَ اللَّهُ عَلَيْهِ فَإِنْ عَادَ لَمْ يَقْبَلِ اللَّهُ لَهُ صَلَاةً أَرْبَعِينَ ⁽¹⁰⁾

The Messenger of Allah (ﷺ) said: "Whoever drinks wine, Allah will not accept his prayer for forty days".

These Hadiths emphasize the severity of drinking alcohol and how it is considered haram (forbidden) in Islam. The curse of Allah is upon those who are involved in its production, sale, and consumption, highlighting the gravity of the sin. The Hadiths also show that drinking alcohol can invalidate a person's prayer for a specific period, emphasizing the negative spiritual effects of alcohol consumption. Overall, the Hadiths reinforce the Qur'anic teachings on the prohibition of alcohol and provide further guidance on Islamic rulings regarding its prohibition.

The Rightly Guided Caliphs, who were the leaders of the Muslim community after the death of the Messenger of Allah (ﷺ), all upheld the prohibition of alcohol and considered it haram in Islam. Here are some examples:

حَدَّثَنَا مَكِّنُ بْنُ إِبْرَاهِيمَ ، عَنْ الْجُعَيْدِ ، عَنْ يَزِيدَ بْنِ عُصَيْفَةَ ، عَنْ السَّائِبِ بْنِ يَزِيدَ ، قَالَ : كُنَّا نُوَقِّ بِالْشَّارِبِ عَلَى عَهْدِ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، وَإِمْرَةَ أَبِي بَكْرٍ ، وَصَدْرًا مِنْ خِلَافَةِ عُمَرَ ، فَتَقَوُّمُ إِلَيْهِ بِأَيْدِينَا ، وَنَعَالِنَا ، وَأَرْذِيَّتِنَا حَتَّى كَانَ آخِرُ أَمْرَةِ عُمَرَ ، فَجَلَدَ أَرْبَعِينَ حَتَّى إِذَا عَتَوْا وَفَسَقُوا جَلَدَ ثَمَانِينَ. ⁽¹¹⁾

During the early period of the caliphates of the Messenger of Allah (ﷺ), Abu Bakr (رضي الله عنه) and then Umar (رضي الله عنه) when someone who drank alcohol was brought to them, we would stand with our hands, shoes, and cloaks ready (to strike them). In the later period of Umar's caliphate, he ordered forty lashes for those who drank alcohol, and when they continued to defy and indulge in corruption and sin, he increased the punishment to eighty lashes.

⁹ Ibn Hibban, Muhammad bin Hibban (2012), Sahih Ibn Hibban, Dar al-Kutub al-Ilmiyyah, Beirut, Hadith No. 5332.

¹⁰ Tirmidhi, Abu Isa Muhammad bin Isa bin Surah bin Musa (1421 AH), Al-Jami' al-Sahih, Beirut, Dar al-Maghrib al-Islami, Hadith No. 3120.

¹¹ Bukhari, Muhammad bin Ismail (1987), Sahih Bukhari, Beirut: Dar Ibn Kathir al-Yamamah, Hadith No. 6779.

حَدَّثَنَا أَبُو الرَّبِيعِ الْعَتَكِيُّ وَأَبُو كَامِلٍ قَالَا حَدَّثَنَا حَمَّادُ بْنُ زَيْدٍ حَدَّثَنَا أَيُّوبُ عَنْ نَافِعٍ عَنْ ابْنِ عُمَرَ قَالَ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كُلُّ مُسْكِي خَمْرٍ وَكُلُّ مُسْكِي خَرَاهُ وَمَنْ شَرِبَ الْخَمْرَ فِي الدُّنْيَا فَمَاتَ وَهُوَ يَدُّ مِنْهَا لَمْ يَنْبُ لَمْ يَشْرَبْهَا فِي الْآخِرَةِ (12)

Ayyub narrated from Nafi, who narrated from Ibn Umar (رضي الله عنهما) that the Messenger of Allah (ﷺ) said: "Every intoxicating substance is wine (khamr), and every intoxicating substance is forbidden. And the person who drank alcohol in this world and died in a state of being addicted to it, without repenting, will not be in Paradise in the Hereafter".

أَخْبَرَنَا سُوَيْدٌ قَالَ أَنْبَأَنَا عَبْدُ اللَّهِ يَعْنِي ابْنَ الْمُبَارَكِ عَنْ يُونُسَ عَنْ الزُّهْرِيِّ قَالَ حَدَّثَنِي أَبُو بَكْرِ بْنُ عَبْدِ الرَّحْمَنِ بْنُ الْحَارِثِ أَنَّ أَبَاهُ قَالَ سَمِعْتُ عُثْمَانَ يَقُولُ اجْتَنِبُوا الْخَيْرَ فَإِنَّهَا أَهْمُ الْخَبَائِثِ فَإِنَّهُ كَانَ رَجُلٌ مِمَّنْ خَلَا قَبْلَكُمْ يَتَعَبَّدُ وَيَعْتَزُّ النَّاسَ فَذَكَرَ مِثْلَهُ قَالَ فَاجْتَنِبُوا الْخَيْرَ فَإِنَّهُ وَاللَّهِ لَا يَجْتَمِعُ وَالْإِيمَانُ أَبَدًا إِلَّا يُوْشِكُ أَحَدُهُمَا أَنْ يُخْرِجَ صَاحِبَهُ - (13)

It is narrated from Abdul Rahman bin Harith that he said: "I heard Uthman (رضي الله عنه) say: Stay away from alcohol, for it is the root of all evil. There was a great worshiper among the people before you. He used to live in isolation from others. (The narrator then narrated the story as mentioned previously.) Then he said: Stay away from alcohol. By Allah, alcohol and faith will never coexist in a person; rather, one will expel the other".

عرف حضرة علي ، الخليفة الرابع ، بتقواه وتمسكه الصارم بالمبادئ الإسلامية. واستمر في حرمة الخمر واعتبرها إثنا عظيما (14)

The fourth caliph, Ali (رضي الله عنه), was known for his piety and strict adherence to Islamic principles. He upheld the prohibition of alcohol and considered it a major sin .

Overall, all the caliphs maintained the prohibition of alcohol and declared it haram in Islam. They acknowledged the harm alcohol could cause to individuals and society, and they sought to protect the Muslim community from its negative effects. Their actions and statements reflect the importance of adhering to Islamic principles and maintaining the prohibition of alcohol as it is considered haram in Islam .

Contemporary fatwas generally uphold the prohibition of alcohol as stated in the Qur'an and Hadith. Here are some examples:

The Islamic Fiqh Academy, a global body of Islamic scholars, issued a fatwa in 1985 stating that "the prohibition of alcohol in Islam is an established fact and there is no room for disagreement on this issue".

¹² Qushayri, Muslim, Abu al-Husayn Ibn al-Hajjaj bin Muslim (2012), Sahih Muslim, Maktabah Rahmaniyyah, Lahore, Hadith No. 5218.

¹³ Nasa'i, Abu Abd al-Rahman Ahmad bin Shu'ayb, Imam (1990), Sunan Nasa'i Sharif, Lahore, Zia-ul-Quran Publishers, Hadith No. 5670.

¹⁴ Sahih Ibn Hibban, Muhammad bin Hibban (2012), Sahih Ibn Hibban, Dar al-Kutub al-Ilmiyyah, Beirut, Hadith No. 5332.

The Permanent Committee for Scientific Research and Ifta (religious rulings), which is part of the Saudi Arabian government, issued a fatwa in 2003 stating that "alcohol is haram in Islam due to its harmful effects on the mind and body, as well as its negative impact on society.

"The Islamic Council of Europe issued a fatwa in 1996 stating that "alcohol is considered haram in Islam due to the harm it causes to both the individual and society. Muslims should completely avoid it and seek alternative ways of socialization".

These fatwas reflect the view that alcohol is haram in Islam because of its harmful effects on both individuals and society. They also emphasize the importance of avoiding alcohol and finding alternative methods of socialization. It is noteworthy that some contemporary scholars have discussed the permissibility of using alcohol in certain medical or industrial contexts, such as for cleaning wounds or in the preparation of products. However, these exceptions do not challenge the overall prohibition of alcohol.

There are several reasons for the prohibition of alcohol in Islamic jurisprudence, based on Islamic teachings and principles. Here are some key reasons:

Harmful effects on the body and mind:

Alcohol is considered harmful to the body and mind because it can impair judgment, lead to addiction, and cause various health problems. Islam emphasizes the importance of protecting one's health and well-being, and alcohol is viewed as contrary to this principle.

Social and moral harms.

Alcohol can also have negative social and moral effects, such as leading people to engage in inappropriate behavior or sinful actions. It can contribute to family issues, financial difficulties, and other social problems. Islam promotes the importance of maintaining strong families and communities, and alcohol is viewed as a threat to this.

Spiritual harm:

Alcohol is considered spiritually harmful because it can cloud a person's judgment and lead to neglect of religious duties. It can also cause a person to commit sins and distance themselves from Allah (God). Islam emphasizes the importance of spiritual purity and closeness to Allah, and alcohol is seen as an obstacle to this.

Respect for Allah's commands:

One of the fundamental principles of Islamic jurisprudence is obedience to Allah's commands. Allah has clearly prohibited alcohol in the Quran, and the Prophet Muhammad (peace be upon him) also strongly opposed it. Therefore, it is obligatory for Muslims to adhere to this prohibition as an act of obedience and respect for Allah's commands.

Overall, the prohibition of alcohol in Islamic jurisprudence is based on the principles of safeguarding one's health, preserving strong families and communities, promoting spiritual purity, and complying with Allah's commands.

The punishment for adultery:

"Hadd al-Zina or the punishment for adultery is an Islamic legal term. In Islamic law, zina is considered a serious crime that goes against the principles of chastity, loyalty, and family values. The

purpose of the punishment for this crime is to deter others and protect society from the harmful effects of sexual immorality. We will explore the concept of **Hadd al-Zina** in Islamic law and its various aspects.

Hadd al-Zina refers to the punishment prescribed by Islamic law for unlawful sexual intercourse between adults who are not legally married. This punishment is considered a fixed penalty, and it is imposed by the state or Islamic courts. The term "Hadd" refers to the punishment that has been outlined by Allah (God) in the Qur'an or by the Prophet Muhammad ﷺ in the Hadith, and it is applied in cases where there is clear proof of the crime. In the case of zina, the purpose of the punishment is to purify society and protect the rights of individuals.

The Qur'anic verses regarding zina are very clear- Allah says:"

وَلَا تَقْرَبُوا الزَّانِيَ إِنَّهُ كَانَ فَاحِشَةً وَسَاءَ سَبِيلًا⁽¹⁵⁾

And do not approach adultery; indeed, it is an immorality and an evil way."

This verse prohibits any form of sexual relations outside of marriage and emphasizes the severity of the crime. Allah says:

الرَّانِيَةُ وَالرَّانِي فَاجْلِدُوا كُلَّ وَاحِدٍ مِنْهُمَا مِائَةَ جَلْدَةٍ وَلَا تَأْخُذْكُمْ بِهِمَا رَأْفَةٌ فِي دِينِ اللَّهِ إِنْ كُنْتُمْ تُؤْمِنُونَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ وَلَيَشْهَدُ عَذَابُهُمَا طَائِفَةٌ مِّنَ الْمُؤْمِنِينَ⁽¹⁶⁾

"(If a woman or a man who is unmarried is found guilty of adultery, then flog each of them with one hundred stripes, and do not let pity for them overcome you in the matter of Allah's religion, if you believe in Allah and the Last Day. And let a group of the believers witness their punishment.)"

This verse specifies the punishment for adultery, which is one hundred lashes for the guilty party. Prophet Muhammad (peace be upon him) spoke firmly about the gravity of adultery and the punishment for this crime. One of the well-known Hadiths on this topic is narrated by Abdullah bin Masood (may Allah be pleased with him), who said:

قال رسول الله صلى الله عليه وسلم : الزانى ليس مؤمناً وهو فى فعله ، ولا يسرقه أحد ويده ملتصقة ببدنه إلا يقطعها .. يسرق⁽¹⁷⁾

The Prophet Muhammad (peace be upon him) said: "A person committing adultery is not a believer when they are committing it, and no one steals when their hand is attached to their body, but they cut off their hand and steal".

This Hadith emphasizes the severity of the crime of adultery and the necessity of harsh punishment to prevent it. The punishment for adultery varies depending on the circumstances of the case. In cases where both parties involved are unmarried, the punishment is one hundred lashes for each, as mentioned in the Qur'anic verse earlier. However, in cases where both parties are married, the punishment is stoning to death, as proven by the Hadiths. This punishment, known as "Rajm" (stoning), is considered the most severe penalty in Islamic law. The method of execution is for the criminals to be stoned to death until they die.

¹⁵ Quran 32:17

¹⁶ Quran 2:24

¹⁷ Bukhari, Muhammad bin Ismail (1987), Sahih Bukhari, Lebanon, Beirut: Dar Ibn Kathir al-Yamamah, p. 458.

It is important to note that the punishment for adultery can only be applied if there is clear, irrefutable evidence of the crime, such as the testimony of four witnesses who have seen the act of penetration. If there is insufficient evidence to prove the crime beyond reasonable doubt, the accused parties cannot be punished.

"Adultery in the Mirror of History:"

Adultery has been prohibited in Islam since the time of the Prophet Muhammad (PBUH). The prohibition of adultery gradually became more defined through different stages of Islamic history. Initially, when Islam was first introduced, there was no specific punishment for adultery, and it was considered a sinful act. However, as the Muslim community grew and became more established, the punishment for adultery was gradually introduced and became an essential part of Islamic law. According to Islamic history, the first revelation in which adultery was mentioned as a sin is found in Surah Al-Isra)

وَلَا تَقْرَبُوا الزَّانَ إِنَّهُ كَانَ فَاحِشَةً وَسَاءَ سَبِيلًا⁽¹⁸⁾

This was revealed during the early period of Islam in the city of Makkah. This verse prohibited any form of sexual relations outside of marriage and emphasized the severity of the crime. Later, during the Prophet Muhammad's (PBUH) time in Medina, Surah An-Nur was revealed.

الزَّانِيَةُ وَالزَّانِي فَاجْلِدُوا كُلَّ وَاحِدٍ مِنْهُمَا مِائَةَ جَلْدَةٍ وَلَا تَأْخُذْكُمْ بِهِمَا رَأْفَةٌ فِي دِينِ اللَّهِ إِنْ كُنْتُمْ تُؤْمِنُونَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ وَلَيَشْهَدُ عَذَابُهُمَا طَائِفَةٌ مِّنَ الْمُؤْمِنِينَ¹⁹

Through the revelation of this verse, the punishment for adultery was introduced. This verse prescribed a punishment of 100 lashes for unmarried individuals who committed adultery. The punishment of stoning to death for married adulterers was also introduced during the time of Prophet Muhammad (PBUH), based on the sayings and actions of the Prophet (Hadith). Overall, the prohibition of adultery and its punishments have been an integral part of Islamic law since the early period of Islam, and the severity of the crime is emphasized throughout the Qur'an and Hadith.

The Prohibition of Adultery:

Adultery is forbidden in Islam for several reasons.

Islam views sexual relations as sacred and believes they should only occur within the bounds of marriage. Any sexual relationship outside of marriage is considered a violation of this sacred bond and is therefore prohibited. This aligns with the Islamic belief in the importance of protecting the family unit and ensuring the rights and responsibilities of each individual within it. In Islam, adultery is considered a major sin because it goes against the teachings of modesty and chastity. Islam places great emphasis on the concept of modesty (haya) and encourages believers to maintain a sense of dignity and self-respect. Adultery is seen as a violation of this sense of decency and is therefore prohibited.

¹⁸ Quran 32:17

¹⁹ Quran 2:24
317 | Page

Adultery can have negative consequences for both the individuals involved and society as a whole. Sexual relations outside of marriage can lead to the spread of sexually transmitted diseases, unwanted pregnancies, and emotional harm and trauma. Furthermore, adultery can lead to the breakdown of families and the erosion of social values and morality.

Overall, the prohibition of adultery in Islam is based on the belief in the importance of protecting the sanctity of marriage and family, promoting modesty and chastity, and safeguarding the physical and emotional well-being of individuals and society. In the Qur'an, the prohibition of adultery is emphasized through various verses that highlight the severity of the crime and its negative consequences.

One of the most prominent verses on this issue is in Surah Al-Isra, which says:

وَلَا تَقْرَبُوا الزَّانِيَ إِنَّهُ كَانَ فَاحِشَةً وَسَاءَ سَبِيلًا⁽²⁰⁾

"And do not approach adultery. Indeed, it is an immorality and evil as a way."

This verse emphasizes that adultery is not only a vile act but also an immoral one that should be avoided at all costs. It also stresses that approaching adultery is forbidden, such as engaging in inappropriate flirting or being alone with someone of the opposite sex. As for the verses from Surah Al-Furqan, Allah says

وَالَّذِينَ لَا يَدْعُونَ مَعَ اللَّهِ إِلَهًا آخَرَ وَلَا يَقْتُلُونَ النَّفْسَ الَّتِي حَرَّمَ اللَّهُ إِلَّا بِالْحَقِّ وَلَا يَزْنُونَ وَمَنْ يَفْعَلْ ذَلِكَ يَلْقَ أَثَامًا) - يُضْعَفُ لَهُ الْعَذَابُ يَوْمَ الْقِيَمَةِ وَيَخْلُدُ فِيهِ مُهَانًا إِلَّا مَنْ تَابَ وَآمَنَ وَعَمِلَ عَمَلًا صَالِحًا فَأُولَئِكَ يُبَدِّلُ اللَّهُ سَيِّئَاتِهِمْ حَسَنَاتٍ وَكَانَ اللَّهُ غَفُورًا رَحِيمًا²¹

"And those who do not invoke with Allah another deity or kill the soul which Allah has made sacred, except by right, and do not commit adultery and whoever does that will meet a penalty. Multiply for him the punishment on the Day of Resurrection, and he will abide therein in disgrace."

This verse sheds light on the punishment for those who commit adultery, emphasizing that they will face severe consequences both in this world and the Hereafter. It underscores that this sin is a grave crime in the eyes of Allah, and those involved in it will be humiliated on the Day of Judgment.

As for Surah Al-Ma'arij, Allah says:

وَالَّذِينَ هُمْ لِأُفْوَاجِهِمْ حَفْظُونَ ۚ ٢٩ إِلَّا عَلَىٰ أَرْوَاجِهِمْ أَوْ مَا مَلَكَتْ أَيْمَانُهُمْ فَإِنَّهُمْ غَيْرُ مَلُومِينَ (22)

"And those who guard their private parts, except from their wives or those their right hands possess, for indeed, they are not to be blamed."

This verse emphasizes the importance of guarding one's chastity and engaging in sexual relations only within the bounds of marriage or with those whom one has a lawful right over. It stresses that those who seek sexual relations outside these boundaries are considered to be sinful in the eyes of Allah.

As for Surah An-Nur, the translation is:

"The adulterer and the adulteress – flog each one of them with a hundred stripes, and do not let pity for them prevent you from [carrying out] the rule of Allah, if you believe in Allah and the Last Day. And let a group of the believers witness their punishment.

²⁰ Ouran 17:32

²¹ Quran 25:68-70

²² Quran 70:29-30

الرَّانِيَةُ وَالزَّانِ فَاجْلِدُوا كُلَّ وَاحِدٍ مِنْهُمَا مِائَةَ جَلْدَةٍ وَلَا تَأْخُذْكُمْ بِهِمَا رَأْفَةٌ فِي دِينِ اللَّهِ إِنْ كُنْتُمْ تُؤْمِنُونَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ وَلْيَشْهَدْ عَذَابَهُمَا طَائِفَةٌ مِنَ الْمُؤْمِنِينَ⁽²³⁾

"The adulterer and the adulteress – flog each one of them with a hundred stripes, and do not let pity for them prevent you from [carrying out] the rule of Allah, if you believe in Allah and the Last Day. And let a group of the believers witness their punishment."

This verse emphasizes that even unmarried individuals who engage in sexual relations outside of marriage are committing a serious offense that warrants punishment. The prescribed punishment of 100 lashes serves as a deterrent for such behavior. Overall, the Qur'anic teachings about the prohibition of adultery highlight the importance of preserving the sanctity of marriage and promoting modesty and chastity. The verse underscores the gravity of the crime and its negative consequences on both individuals and society.

"In the light of Hadith:

"Hadiths, or the sayings of Prophet ﷺ, provide further guidance and rulings regarding the prohibition of adultery in Islam.

قال رسول الله ﷺ: الزاني لا يؤمن وهو في الزنى⁽²⁴⁾

"The Messenger of Allah ﷺ said: 'A person committing adultery is not a believer while doing so.'

This hadith emphasizes that those involved in adultery cannot be considered believers while committing this sin. It highlights the severity of this behavior in Islam and stresses the need to avoid

قال رسول الله ﷺ: ابعثوا الزنا ، لأنه يترتب عليه ست مصائب ثلاثة منها في الدنيا وثلاث في الآخرة. : يسلب نعمة المال ، ويسبب العار ، ويقصر العمر. الثلاثة في الآخرة هي: سبب نقص الثواب ، ٤٨ (وزيادة العقوبة ، ودخول النار (جهنم)⁽²⁵⁾

The Messenger of Allah ﷺ said: "Avoid adultery, for it brings six calamities, three of which manifest in this world and three in the Hereafter. In this world, it removes the blessing of wealth, causes disgrace, and shortens life. As for the three in the Hereafter, they are: a reduction in reward, an increase in punishment, and being the cause of entering the Fire (Hell)."

This hadith emphasizes the numerous negative consequences of being involved in adultery, both in this world and the Hereafter. It highlights the importance of avoiding this sin and striving to lead a righteous and pure life.

قال رسول الله ﷺ: الزاني لا يزني وهو مؤمن ، والسارق لا يسرق وهو مؤمن⁽²⁶⁾

The Messenger of Allah ﷺ said: "A fornicator does not commit fornication while being a believer, and a thief does not steal while being a believer."

This hadith further emphasizes that engaging in adultery is incompatible with being a true believer in Islam. It highlights the need to strive for purity and cleanliness in one's actions and behavior. Overall,

²³ Quran 2:24

²⁴ Bukhari, Muhammad bin Ismail (1987), Sahih Bukhari, Hadith No. 4324.

²⁵ Ahmad bin Hanbal, Imam (1383 AH), Musnad Ahmad, Matba'ah Maktabah Islami, Beirut, Lebanon, Hadith No. 2133.

²⁶ Bukhari, Muhammad bin Ismail (1987), Sahih Bukhari, Hadith No. 6472.

²⁶ Quran 24:4
319 | Page

the hadith provides additional guidance and rulings on the prohibition of adultery in Islam. They stress the importance of avoiding this behavior and continuously striving to maintain purity and righteousness in one's actions and conduct.

"Views of the Rightly Guided Caliphs"

The Rightly Guided Caliphs Abu Bakr, Umar, Uthman, and Ali (may Allah be pleased with them) all expressed a unified stance on the prohibition of adultery, which is considered a major sin in Islam. They adhered to the teachings of the Qur'an and Hadith, which strictly forbid adultery, and implemented the prescribed Islamic punishments for it. During their respective periods of rule, the Caliphs enforced Islamic laws related to sexual ethics and punished those found guilty of adultery. They believed that the protection of the family structure and social order was essential for the welfare of society and regarded sexual morality as a critical aspect of social organization.

For instance, during the caliphate of Umar (may Allah be pleased with him), a woman came to him confessing to adultery. Umar implemented the Islamic punishment of stoning (rajm), prescribed for married adulterers, despite her plea for mercy. Umar explained that he could not ignore Allah's clear command regarding the punishment for adultery, and he emphasized the importance of maintaining social order and protecting the society's honor by upholding the law. Similarly, during Ali's (may Allah be pleased with him) caliphate, a man came to him confessing to adultery. Ali implemented the Islamic punishment of lashing, prescribed for unmarried adulterers. Ali stressed the significance of sexual ethics in Islam and reminded people that Allah has forbidden adultery and warned of severe punishment for those involved.

The Rightly Guided Caliphs believed that the prohibition of adultery was essential for safeguarding social and moral values. They held that a society that tolerates adultery inevitably faces the destruction of the family structure and a decline in moral standards. Therefore, they enforced strict punishments to deter people from such sins and to preserve the moral values of Islam. The Caliphs followed the teachings of the Qur'an and Hadith regarding the prohibition of adultery and enforced the prescribed Islamic punishments. They upheld the principles of sexual morality in Islam and emphasized the importance of chastity and purity for the well-being of society.

"In the Light of Contemporary Islamic Jurisprudence"

In contemporary Islamic jurisprudence and fatwas, adultery is regarded as a major sin and a violation of Islamic sexual ethics. According to modern-day fatwas, the details of adultery are as follows:

"Definition of Adultery"

Adultery refers to sexual relations between two individuals who are not married to each other, whether they are married to other people or not. In Islamic law, adultery includes both married and unmarried individuals who engage in sexual relations outside of marriage.

"Punishment for Adultery"

In Islamic law, the punishment for adultery is severe and varies according to the marital status of the individuals involved. If the adulterer is married, the punishment is stoning. If the adulterer is unmarried, the punishment is 100 lashes and one year of exile.

Proof of Adultery"

In Islamic law, for a person to be convicted of adultery, there must be four eyewitnesses to the sexual act. If there are fewer than four eyewitnesses, the case cannot be proven in court, and the accused cannot be punished.

Repentance and Seeking Forgiveness"

Islam teaches that all sins can be forgiven through sincere repentance and seeking forgiveness from Allah. If someone has committed adultery, they should repent with a sincere heart, strive to improve themselves, and seek forgiveness from Allah. If they are married, they should also seek forgiveness from their spouse and work to restore their relationship.

"Prevention of Adultery"

Islam strongly emphasizes the prevention of adultery by promoting chastity and sexual ethics. This can be achieved through education, counseling, and guidance on Islamic sexual ethics and values. Islamic societies should also provide opportunities for people to marry and establish families in a healthy and supportive environment.

Some examples of contemporary fatwas regarding adultery are as follows:

Prominent Islamic scholar Sheikh Yusuf al-Qaradawi has stated that the punishment for adultery should be imprisonment rather than stoning. His reasoning is that stoning is not explicitly prescribed in the Qur'an and is a cultural practice that has been wrongly attributed to Islamic law.²⁷

The Islamic Fiqh Council, an organization of scholars affiliated with the Organization of Islamic Cooperation, issued a fatwa stating that the punishment for adultery may be reduced in certain circumstances, such as when the accused confesses to the crime, if there is only one eyewitness, or if there are doubts about the testimonies of the witnesses.²⁸

Prominent Islamic scholar and chairman of the Fatwa Council of the United Arab Emirates, Sheikh Abdullah bin Bayyah, has stated that the punishment for adultery should not be reduced or abolished, as it is a fundamental part of Islamic law and aims to protect the sanctity of marriage and the family. His reasoning is that the punishment should only be applied in cases where sufficient evidence exists and should be carried out in a manner that is humane and just.²⁹

In summary, adultery is considered a major sin in Islam, and its punishment is severe. However, Islam also promotes forgiveness and encourages people to repent sincerely and seek forgiveness from Allah. Emphasis is placed on preventing adultery through counseling and creating a supportive environment for healthy and fulfilling relationships-

Punishment for False Accusation of Adultery"

In Islamic law, making an accusation of adultery (also known as Qadhf without any evidence is a serious crime. Qadhf is considered a major sin, and it can result in severe legal consequences for the accuser.

²⁷ Al-Qaradawi, Allama Yusuf (n.d.), *Halal and Haram in Islam*, Mumbai, Dar al-Salafiyyah, p. 456.

²⁸ Qasmi, Mujahid al-Islam (1991), *Modern Fiqh Issues*, Delhi, Islamic Fiqh Academy, p. 174.

²⁹ Sheikh Abdullah bin Bayyah, Chairman of the Fatwa Council of the United Arab Emirates, p. 367.

The legal requirements to prove adultery in Islamic law are very strict, and the burden of proof is heavy. To prove an accusation of adultery, four eyewitnesses must testify to having seen the act of penetration. If there are not four witnesses, the accuser must provide a confession from the accused or some other strong evidence. If someone falsely accuses another person of adultery without evidence, they may be punished with 80 lashes according to the Qur'anic verse 24:4. The Prophet Muhammad (peace be upon him) also warned that those who make false accusations will be punished on the Day of Judgment. However, if the accuser falsely accuses someone and then repents and seeks forgiveness, their punishment may be reduced or completely forgiven.

The Islamic legal system places great emphasis on forgiveness and mercy, encouraging people to seek forgiveness and correct their mistakes. Qadhf is a term used in Islamic law for making false accusations of adultery. The Qur'anic teachings on Qadhf are very clear and strict.

The Qur'an instructs Muslims not to make false accusations against others. In Surah An-Nur, verse 4, it says:

وَالَّذِينَ يَرْمُونَ الْمُحْصَنَاتِ ثُمَّ لَمْ يَأْتُوا بِأَرْبَعَةِ شُهَدَاءَ فَاجْلِدُوهُمْ ثَمَانِينَ جَلْدَةً وَلَا تَقْبَلُوا لَهُمْ شَهَادَةً أَبَدًا وَأُولَئِكَ هُمُ الْفَاسِقُونَ إِلَّا الَّذِينَ تَابُوا مِنْ بَعْدِ (ذَلِكَ) وَاصْلَحُوا فَإِنَّ اللَّهَ غَفُورٌ رَحِيمٌ - (30)

And those who accuse chaste women and do not produce four witnesses, flog them with eighty stripes and do not accept their testimony ever. And they are the defiantly disobedient. Except for those who repent thereafter and reform, for indeed, Allah is Forgiving and Merciful ". This verse indicates that making a false accusation of adultery without the required four witnesses is a grave sin and is considered an act of disobedience to Allah.

In Surah Al-Baqarah, verse , the Qur'an says

يَا أَيُّهَا الَّذِينَ آمَنُوا أَنْفِقُوا مِنْ طَيِّبَاتِ مَا كَسَبْتُمْ وَمِمَّا أَخْرَجْنَا لَكُمْ مِنَ الْأَرْضِ - وَلَا تَيَمَّمُوا الْخَبِيثَ مِنْهُ تُنْفِقُونَ وَلَسْتُمْ بِآخِذِيهِ إِلَّا أَنْ تُغْمِضُوا فِيهِ تَوَّاعِلُوا أَنْتَ اللَّهُ غَنَى حَمِيدٌ - (31)

O you who have believed, spend from the good things which you have earned and from that which We have produced for you from the earth. And do not aim for the defective from it to spend, while you would not take it except with closed eyes. And know that Allah is Free of need and Praiseworthy ".

This verse warns against the behavior of those who give charity or perform good deeds not with true faith and sincerity, but rather to show off to others. This warning can also apply to those who make false accusations of adultery, as they may be motivated not by a quest for justice or truth, but by a desire to harm or embarrass someone .

The Qur'anic teachings on Qadhf emphasize the importance of truth, justice, and sincerity in all actions, and warn of the severe consequences of making false accusations. In Islamic jurisprudence, the Hadiths, which are the sayings and actions of the Prophet Muhammad (peace be upon him), provide additional guidance on the rulings related to "Qadhf". Some relevant Hadiths on Qadhf are:

³⁰ Quran 24:4

³¹ Quran 2:267
322 | Page

عن أبي هريرة أن رسول الله ﷺ قال: (إياكم السبع المميتة التي توصل الإنسان إلى جهنم). وسأل الناس يا رسول الله ما هو فأجاب: الشراكة مع الله، والشعوذة، وقتل الحياة التي حرم الله، وأخذ الربا، واغتصاب أموال الأيتام، والهرب من الجهاد، والافتراء على العفيفات اللواتي لم يغتصبن قط، ولا تفكروا في ذلك.. أولئك الذين يمسون العفة وهم مؤمنون صالحون⁽³²⁾

Abu Huraira (RA) narrated that the Messenger of Allah (PBUH) said: "Avoid the seven deadly sins that lead a person to Hell." The people asked, "O Messenger of Allah, what are they?" He replied: "Associating partners with Allah, practicing magic, killing a soul whom Allah has forbidden to kill, consuming usury, devouring the property of orphans, fleeing from the battlefield, and falsely accusing chaste women who are unaware and innocent".

This Hadith highlights the severity of Qadhf (false accusation of adultery) and includes it among the seven deadly sins that lead a person to the fire of Hell.

عن عائشة رضی الله عنها أن رجلاً أتى النبي صلى الله عليه وسلم فقال: إني وجدت زوجتي تزن. سألته صلى الله عليه وسلم: هل عندك شهود أجاب الرجل بالنفي. أمر النبي صلى الله عليه وسلم الرجل بالانتظار حتى يحضر أربعة شهود. ولما قدم أربعة شهود أمر رسول الله بعقاب هذه المرأة في الشرع⁽³³⁾

Aisha (RA) narrates that a man came to the Prophet Muhammad (PBUH) and said, "I found my wife committing adultery." The Prophet (PBUH) asked him, "Do you have any witnesses?" The man replied in the negative. The Prophet (PBUH) instructed him to wait until four witnesses could be presented. When four witnesses were brought forward, the Prophet (PBUH) ordered the punishment for the woman according to Islamic law.

This Hadith clarifies the strict requirements for proving an accusation of adultery. It is not sufficient to merely make an accusation; there must be adequate evidence and witnesses.

قال عبد الله بن عباس رضي الله عنه أن رسول الله قال: من ادعى أنه رأى حلمًا لم يراه فهو كربط عقدة بين حبتين شعير ويصدر أمر لا يستطيع القيام به. من أصغى لمن لا يحبونه أو هربوا منه يسكب الرصاص في أذنيه يوم القيامة. وسيطلب منه أن يضع روحًا في الصورة، وهو ما لن يكون قادرًا على القيام به⁽³⁴⁾

Abdullah bin Abbas (RA) said that the Messenger of Allah (PBUH) said: "Whoever claims to have seen a dream that he did not actually see, he will be commanded to tie a knot between two barley seeds, which he will not be able to do. And if someone listens to people whom he dislikes or avoids, then on the Day of Judgment, molten lead will be poured into his ears. And he will be commanded to breathe life into a picture, which he will not be able to do".

This Hadith, although not directly related to Qadhf, emphasizes the importance of truth and highlights the severity of lying or making false claims. Falsely accusing someone of adultery falls under this category of lying and making false claims. Overall, the Hadiths further reinforce the significance of justice, truth, and sincerity in all actions, providing specific guidance regarding Qadhf

³² Qushayri, Muslim, Abu al-Husayn Ibn al-Hajjaj bin Muslim (2012), Sahih Muslim, Maktabah Rahmaniyyah, Lahore, Pakistan, Hadith No. 543.

³³ Qushayri, Muslim, Abu al-Husayn Ibn al-Hajjaj bin Muslim (2012), Sahih Muslim, Hadith No. 5218.

³⁴ Bukhari, Muhammad bin Ismail (1987), Sahih Bukhari, Hadith No. 342.

rulings. Qadhf refers to making a false accusation of immoral conduct, including adultery, against a chaste person. The Rashidun Caliphs were the first four caliphs of Islam who succeeded the Prophet Muhammad (PBUH) and played a crucial role in the formation of Islamic law and jurisprudence. Some of their rulings on Qadhf are as follows:

1. The first Caliph, Abu Bakr, prescribed eighty lashes as the punishment for those who falsely accuse others of adultery without evidence .
2. The second Caliph, Umar ibn al-Khattab, increased the punishment for Qadhf to eighty lashes and public reprimand. He also instructed children to take Qadhf seriously and ensure that the accused receive a fair trial .
3. The third Caliph, Uthman ibn Affan, continued the practice of imposing eighty lashes on those who made false accusations of adultery .
4. The fourth Caliph, Ali ibn Abi Talib, also upheld the punishment of eighty lashes for Qadhf. He emphasized the importance of ensuring a fair trial for the accused and that the accuser provides sufficient evidence to support their claim .
5. The rulings of the Rashidun Caliphs on Qadhf emphasized the severity of false accusations of adultery and the importance of providing adequate evidence to support such claims. They also highlighted the importance of ensuring that the accused receive a fair trial and are not subjected to injustice. These rulings continue to influence Islamic jurisprudence today.

Contemporary Islamic scholars and jurists have also issued fatwas (legal opinions) on the issue of Qadhf. Some examples of their rulings are as follows:

The Islamic Fiqh Academy of the Muslim World League has stated that Qadhf is a major sin and a punishable offense under Islamic law. The accuser must provide solid evidence in accordance with Islamic legal requirements, and if they fail to do so, they may be punished with lashes .

The Islamic Fiqh Council of North America has stated that Qadhf is a serious crime that violates the rights of the accused and damages their reputation. The accuser must provide four eyewitnesses who saw the actual act of adultery, or a confession from the accused or other compelling evidence. If the accuser fails to provide sufficient evidence, they may be punished under Islamic law .

Prominent Islamic scholar Sheikh Yusuf al-Qaradawi has said that Qadhf is a heinous crime that can cause great harm to individuals and society. The accuser must provide solid evidence to support the claim of adultery and follow the Islamic legal procedure. Sheikh al-Qaradawi also emphasizes the importance of forgiveness and repentance, encouraging those who commit Qadhf to seek forgiveness from Allah and reform their actions .

Overall, contemporary fatwas on Qadhf stress the importance of adhering to strict Islamic legal requirements when proving accusations of adultery and warn against the serious consequences of making false claims. They also highlight the significance of forgiveness and repentance in Islamic teachings.

Summary: Summary of the Views of the Rashidun Caliphs and Contemporary Scholars on Alcohol, Adultery, and False Accusations:

Alcohol Consumption: Both the Rashidun Caliphs and contemporary scholars agree that alcohol consumption is prohibited in Islam. The boundaries of alcohol consumption are defined by the

prohibition itself, with no permissible quantity of alcohol.

Adultery (Zina): The Caliphs and contemporary scholars are in agreement that adultery is a major sin and a punishable crime under Islamic law. The evidence for adultery is determined by the need for four eyewitnesses who saw the act of penetration or by the accused's confession. False accusations of adultery (Qadhf) are also considered a serious crime, violating the rights of the accused and leading to punishment.

False Accusation (Qadhf): The Rashidun Caliphs and contemporary scholars agree that false accusations of immoral acts, including adultery, are prohibited in Islam. The boundaries of Qadhf are defined by the need for sufficient evidence to support the accusation. Without sufficient proof, false accusations can lead to punishment, including flogging and public reprimand.

Overall, both the Caliphs and contemporary scholars emphasize the importance of adhering to Islamic legal requirements and avoiding sinful behavior. The boundaries of alcohol consumption, adultery, and false accusations are clearly defined in Islamic law and jurisprudence, aiming to promote the welfare of individuals and society.

Bibliography

1. AL Quran
2. Bukhari, Muhammad bin Ismail (1987), Sahih Bukhari, Beirut: Dar Ibn Kathir al-Yamamah, Hadith No. 2464.
3. Muslim, Abu al-Husayn Ibn al-Hajjaj Ibn Muslim al-Qushayri (2012), Sahih Muslim, Maktabah Rahmaniyyah, Lahore, Hadith No. 1231.
4. Ibn Hibban, Muhammad bin Hibban (2012), Sahih Ibn Hibban, Dar al-Kutub al-Ilmiyyah, Beirut, Hadith No. 5332.
5. Tirmidhi, Abu Isa Muhammad bin Isa bin Surah bin Musa (1421 AH), Al-Jami' al-Sahih, Beirut, Dar al-Maghrib al-Islami, Hadith No. 3120.
6. Bukhari, Muhammad bin Ismail (1987), Sahih Bukhari, Beirut: Dar Ibn Kathir al-Yamamah, Hadith No. 6779.
7. Qushayri, Muslim, Abu al-Husayn Ibn al-Hajjaj bin Muslim (2012), Sahih Muslim, Maktabah Rahmaniyyah, Lahore, Hadith No. 5218.
8. Nasa'i, Abu Abd al-Rahman Ahmad bin Shu'ayb, Imam (1990), Sunan Nasa'i Sharif, Lahore, Zia-ul-Quran Publishers, Hadith No. 5670.
9. Sahih Ibn Hibban, Muhammad bin Hibban (2012), Sahih Ibn Hibban, Dar al-Kutub al-Ilmiyyah, Beirut, Hadith No. 5332.
10. Bukhari, Muhammad bin Ismail (1987), Sahih Bukhari, Lebanon, Beirut: Dar Ibn Kathir al-Yamamah, p. 458.
11. Bukhari, Muhammad bin Ismail (1987), Sahih Bukhari, Hadith No. 4324.
12. Ahmad bin Hanbal, Imam (1383 AH), Musnad Ahmad, Matba'ah Maktabah Islami, Beirut, Lebanon, Hadith No. 2133.
13. Bukhari, Muhammad bin Ismail (1987), Sahih Bukhari, Hadith No. 6472.
14. Al-Qaradawi, Allama Yusuf (n.d.), Halal and Haram in Islam, Mumbai, Dar al-Salafiyyah, p. 456.
15. Qasmi, Mujahid al-Islam (1991), Modern Fiqh Issues, Delhi, Islamic Fiqh Academy, p. 174.
16. Sheikh Abdullah bin Bayyah, Chairman of the Fatwa Council of the United Arab Emirates, p. 367.
17. Qushayri, Muslim, Abu al-Husayn Ibn al-Hajjaj bin Muslim (2012), Sahih Muslim, Maktabah Rahmaniyyah, Lahore, Pakistan, Hadith No. 543.
18. Qushayri, Muslim, Abu al-Husayn Ibn al-Hajjaj bin Muslim (2012), Sahih Muslim, Hadith No. 5218.
19. Bukhari, Muhammad bin Ismail (1987), Sahih Bukhari, Hadith No. 342.